

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO.: CR05-231-JCC
Plaintiff,)
v.) DETENTION ORDER
GLENN W. MERRITT)
Defendant.)

Offense charged:

Violent Crime in Aid of Racketeering (Kidnaping); Violent Crime in Aid of Racketeering(Assault); Conspiracy to Distribute Marijuana and Methamphetamine; Distribution of Marijuana; Distribution of Methamphetamine; Carrying a Firearm During and in Relation to a Drug Trafficking Crime; Conspiracy to Traffic in Certain Motor Vehicles or Motor Vehicle Parts; Trafficking in a Certain Motor Vehicle; Trafficking in Certain Vehicle Parts; Sale of a Firearm to a Prohibited Person

Date of Detention Hearing: June 16, 2005

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the safety of other persons and the community.

01 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

02 (1) Defendant is named in a twenty count indictment that has been brought against
03 certain individuals, some of whom are alleged to be leaders and/or members of the Bandidos
04 Outlaw Motorcycle Organization. Defendant is charged in all but two of the counts.

05 (2) The Indictment alleges that the Bandidos Outlaw Motorcycle Organization is a
06 criminal organization whose members and associates engaged in acts of violence, including
07 kidnaping, assault, threats of violence, and extortion in the United States and throughout the
08 world. The Bandidos is alleged to constitute a criminal enterprise as defined in Title 18, USC,
09 Section 1959(b)(2), that is, an enterprise constituting an ongoing organization whose members
10 function as a continuing unit for common purpose of achieving racketeering activity. Mr. Merritt
11 is said to be the President of the Bellingham, Washington Chapter of the organization. The
12 Indictment alleges that as such, the defendant is allowed to exert “significant decision-making
13 power and control over the activities of Bandidos members in Washington, and in the past, over
14 the activities of members in Montana.”

15 (3) Among the acts which Mr. Merritt is alleged to have committed are drug offenses
16 with a possible term of imprisonment of ten years or more, and therefore carry a rebuttable
17 presumption against defendant as to both dangerousness and flight risk, under 18 U.S.C. §3142(e).

18 (4) The defendant is 64 years old and is retired from a construction company which
19 he founded. His son and daughter in law reside with him. The AUSA represents that these
20 individuals are under investigation for trafficking in motor vehicles and drug trafficking. The
21 defendant was alleged to be in possession of two ounces of methamphetamine at the time of his
22 arrest. The AUSA proffers that twelve handguns and six long guns were found at his residence,
23 and seventeen long guns and seventeen handguns at his Acme, Washington residence.

24 (5) While the presumption of flight risk has been rebutted, the record taken as a whole
25 does not effectively rebut the presumption that no condition or combination of conditions will
26 reasonably assure the safety of the community.

01 It is therefore ORDERED:

- 02 (1) Defendant shall be detained pending trial and committed to the custody of the
03 Attorney General for confinement in a correction facility separate, to the extent
04 practicable, from persons awaiting or serving sentences or being held in custody
05 pending appeal;
- 06 (2) Defendant shall be afforded reasonable opportunity for private consultation with
07 counsel;
- 08 (3) On order of a court of the United States or on request of an attorney for the
09 Government, the person in charge of the corrections facility in which defendant is
10 confined shall deliver the defendant to a United States Marshal for the purpose of
11 an appearance in connection with a court proceeding; and
- 12 (4) The clerk shall direct copies of this Order to counsel for the United States, to
13 counsel for the defendant, to the United States Marshal, and to the United States
14 Pretrial Services Officer.

15 DATED this 16th day of June, 2005.

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18 Mary Alice Theiler
United States Magistrate Judge

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